

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

AGRI STRAGETIES, INC., a Nebraska  
Corporation,

Third-Party Plaintiff,

vs.

NGP, LLC, an Iowa limited liability company,  
and HOBERMAN FARMS, LLC, an Iowa  
limited liability company,

Third-Party Defendants.

**8:17CV54**

**ORDER**

This matter is before the Court on the Motion to Withdraw as Counsel ([Filing No. 96](#)) filed by Gross & Welch, P.C., L.L.O., and its attorneys, Andrew J. Wilson, Zachary W. Lutz-Priefert, and Michael J. Whaley, counsel of record for Third-Party Defendant, Hoberman Farms, LLC. The firm of Gross & Welch seeks to withdraw from representation of Hoberman Farms, LLC, due to a breakdown in the attorney client relationship. Counsel represents that they have communicated with their client about the basis for filing the motion and provided their client with a copy of the motion. Accordingly,

**IT IS ORDERED:**

1. The Motion to Withdraw as Counsel ([Filing No. 96](#)) is granted. The firm of Gross & Welch and its attorneys of record shall be permitted to withdraw from their representation of Third Party Defendant, Hoberman Farms, LLC.
2. Counsel shall immediately serve copies of this Order on Hoberman Farms, LLC, and thereafter file proof of service showing compliance with this Order, listing the names and addresses of the persons to whom notice was sent. Counsel will not be relieved of applicable duties to the Court, their client, and opposing counsel until such proof of service is filed.
3. Because Hoberman Farms, LLC, cannot litigate in this forum without representation by licensed counsel, *Knoefler v. United Bank of Bismarck*, 20 F.3d 347, 347-48 (8th Cir. 1994), within thirty days of receiving notice of this Order, Hoberman Farms, LLC, shall obtain the services of new counsel and have that attorney file an

appearance on its behalf. **If substitute counsel does not enter an appearance on behalf of Hoberman Farms, LLC, within thirty days of receiving notice of this Order, the Court may file an entry and/or judgment of default against it without further notice.**

Dated this 8<sup>th</sup> day of January 8, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge